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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,308	02/16/2001	Masahiko Nishikawa	010169	2236
38834	7590	11/02/2005	EXAMINER	
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036			VENT, JAMIE J	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/784,308		NISHIKAWA ET AL.	
	Examiner		Art Unit	
	Jamie Vent		2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

An improper final action was mailed on June 16, 2005. This action should have been a non-final rejection and therefore the finality of this action has been withdrawn. Sub sequential, an improper advisory action was mailed October 5, 2005 this action has additionally been withdrawn. Additionally, applicant noted the error in the improper final rejection on September 16, 2005 and thereby responded to the June 16, 2005 action as a non-final action. Therefore, the following action is made final due to applicants amendments and arguments dated September 16, 2005.

Response to Arguments

Applicant's arguments filed September 16, 2005 have been fully considered but they are not persuasive. On Page 9, applicant argues that Suga et al fails to disclose, suggest or teach the following limitation: "...wherein an access speed to said memory is three time greater or more than a processing speed of each of said first producer and said second producer, and the image for recording produced by said first producer is applied to said second producer without passing through said memory" as recited in Claim 1. Suga et al discloses the access speed to be three time great than the processing speed as seen in Figure 14. The frame rate speed is 30, 20, and 10 respectively. It is noted that the first and second producer operating at frame rate of 10 and the third producer operates as a frame rate of 10 is three times greater than the first producer processing speed as described in Column 7 Lines 40-67. Although, all of applicants points are understood the examiner can not agree and therefore the rejection

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is maintained. In regard to applicant's arguments with respect to claim 7 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 6 are rejected under 35 U.S.C. 102(b) as being unpatentable by Suga et al (US 6,449,426).

[claim 1]

In regard to Claim 1, Suga et al discloses a digital camera, comprising:

- a first writer for writing to a first area of a memory a raw image of an objective scene captured in response to a capturing instruction (Figure 10 shows the first writer for writing of the camera signal to the first area of a memory through from the data bus 401 to the system controller 500 and to the first recording area 407);
- a reader for reading the raw image stored in the first area (Figure 10 signal processing circuit acts as a reader of the camera signal);
- a first producer for producing an image for recording based on the image for recording produced by said first producer (Figure 10 shows the first producer as the recording medium selector 64 which produces the recording image signal);

- a second producer for producing an image for display based on the image signal for recording produced by said first producer (Figure 10 shows the display controller 4 which acts as the second producer of the image signal);
- a second writer for writing the to a second area of said memory the image for display produced by said second producer (Figure 10 shows the second writer from the recording medium selector 64 to the second recording area 411); and
- a third writer for writing the to a third area of said memory the image for recording produced by said first producer; wherein an access speed to said memory is three times greater or more than a processing speed of each of said first producer and said second producer, and the image for recording produced by said first producer is applied to said second producer without passing through the memory. (Figure 10 shows the third writer for writing the recording image signal of the memory. Furthermore it is seen in Figure 11 the frame rates to be 30, 20, and 10 respectively. Thereby, the memory holding the 30 frame rates per second is three times greater than the memory holding the 10 frame rates per second as further described in Column 7 Lines40-67 and thereby meeting the limitation).

[claim 2]

In regard to Claim 2, Suga et al discloses a digital camera further comprising a buffer memory to be accessed at a first clock rate and a second clock rate of three times

greater or more than the first clock rate, wherein a difference between the access speed to said memory and the processing speed of said first and second producers is absorbed by said buffer memory (Figure 10 shows the first and second recording mediums 407 and 408. It is well known that a buffer memory is present in recording mediums for accessing through various clock rates as further described in Column 1 Lines 10-50).

[claim 3]

In regard to Claim 3, Suga et al discloses a digital camera wherein said second producer makes a resolution-reducing process on the image for recording so as to produce the image (Column 6 Lines 7-67 describes the second producer having a resolution reducing process for the image signal).

[claim 4]

In regard to Claim 4, Suga et al discloses a digital camera wherein said memory has a single data input/output port (Figure 10 shows the memory having a single input/output port).

[claim 6]

In regard to Claim 6, Suga et al discloses a digital camera, further comprising an outputting for outputting the display image signal to said display by reading same from said second area, and a recorder for recording the recording image signal to said recording medium by reading same from said third area (Figure 10 shows the output that is read from the various recording areas and displayed as further described in Column 7 Lines 17-67).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 10 & 11 are rejected under 35 U.S.C. 103(a) as being unpatentable by Suga et al (US 6,449,426) in view of Nagasaki et al (US 5,153,730).

[claims 7 & 10]

In regard to Claims 7 and 10, discloses a digital camera, as previously described in previous Claim 1; however, fails to disclose:

- each of the main image for recording, the image for display and the size-reduced image for recording is an image corresponding to a YUV format, a resolution of the main image for recording is higher than the resolution of the image for display, the resolution of the image for display is higher than the resolution of the size-reduced image for recording, and each of the first process and the second process includes a resolution-reducing process.

Nagasaki et al discloses a digital still camera having multiple recording stages as seen in Figure 1. It is shown an image processing section 33 in Figure 1 which prepares the images for recording at various resolutions based on the size image of the recording as stated in Column 19 Lines 15+. The image for display is a size reduced image of the

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recorded image which allows for the user to properly view a size-reduced image of images on the record medium. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a digital camera, as disclosed by Suga et al, and further incorporate an image corresponding to the recorded images, as disclosed by Nagasaki et al.

[claim 11]

In regard to Claim 11, Suga et al discloses a digital camera wherein the main image signal, the display image signal and the size-reduced image signal are signals of the same type, and the main image signal having a resolution higher than a resolution of the display image signal and the display image signal having a resolution higher than a resolution of the size-reduced image signal (Column 7 Lines 10-65 discloses the various image resolutions of various image signals and thereby one image signal having a higher resolution than the size reduced image signal).

Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suga et al (US 6,449,426).

[claims 5 & 9]

In regard to Claims 5 and 9, Suga et al discloses a digital camera wherein the raw image signal that each pixel has any one color component, and the display image signal and the recording image signal being both Yuv format. It is disclosed in Column 2 Lines 20-40 that the camera signal is a raw image signal; however fails to disclose that each pixel has any one color component, and display image signal and recording image signal being both Yuv format. It is well known the art that a raw image data signal will

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display various color components and furthermore that Yuv type signals is one of the many type of signals of a camera recording image signal. Therefore, the examiner takes official notice that it is well known that a recording image signal is a Yuv type signal.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jamie Vent
10/24/05


James J. Groody
Supervisory Patent Examiner
Art Unit 262 2616